THE WIND MANY VALUE OF THE PROPERTY OF THE PRO

HETTY GREEN'S GOING TO SHOOT

GETS A PISTOL AND A PERMIT TO USE IT-ON LAWYERS, SHE SAYS.

You See, Things Have Happened to Make Her Think She Needs Protection
-Eminent Public and Legal Light She Hopes Never to Meet in the Dark

Hetty Green, financier, obtained a permit yesterday from the Police Department to carry a revolver to protect her from the murderous assaults of lawyers. She had already obtained the revolver. It is a big one. She says that she can hit things with it, too, and that she will, the next time the lawyers get after her. Incidentally she made public the fact that she has knowledge of a deep desire on the part of several lawyers, some of them eminent in public life, to end her life violently.

Of one of them, better known for his keen use of the shafts of repartee than for his use of the sandbag, she has said to friends recently: "If I were to meet that man in the dark alone he'd kill me in a minute."

Mrs. Green made these statements with regard to her purpose in carrying a revolver after the permit had been issued to her. When she went to get the permit she let an employee of the Chemical Bank, who accompanied her, do most of the talking. Capt. Steve O'Brien, to whom she made the initial application, was impressed and indorsed on the papers which he forwarded to Police Headquarters the statement that he thought Mrs. Green the proper sort of person to issue a permit to.

When her utterances about her intended use for the revolver were reported to Deputy Commissioner Thurston, who granted the license, he said that the department could not undertake to take cognizance of newspaper interviews. If any of the lawyers who were hinted at in Mrs. Green's statement felt like complaining that they felt their lives in danger it would then become a matter for the department to look into.

Mr. Thurston said that he was well acquainted with E. H. R. Green, Mrs. Green's son and that he had known for some time that it was Mrs. Green's custom to carry about with her cash and securities, some-times amounting to \$500,000. Under these circumstances Mrs. Green's request to be allowed to carry a revolver seemed to him very proper one.

The application for the revolver was made

last Saturday evening at the Leonard street station in the territory of which is the Chemical National Bank, where Mrs. Green Chemical National Bank, has her office. Capt. O'Brien furnished the blank required for such applications and then informed Mrs. Green that if the permit was issued she would be required to pay a fee of \$2.50. Apparently Mrs. Green saw nintended significance in this for she hastily opened her pocket book and took out some money, saying:

"I am perfectly ready to meet any ex-pense. The \$2.50 is nothing." Which, if this be a true report of what the lady says. ner caree Capt. O'Brien hastily explained that it wasn't necessry to pay in advance, but Mrs. Green insisted on his taking the money. The application was then filled out as

NEW YORK, May 2, 1902. To Capt. Stephen O'Brien of the Eighth Pre-

Application is hereby made for permission to carry a pistol for the following reasons: That I generally have in my possession large sums of money, stocks, bonds and jewelry,

Name, Hetty H. R. Green; residence, 270

Name, Hetty H. R. Green; residence, 270 Broadway: occupation, financier.
Indorsed by Capt. O'Brien the application went to Headquarters, where it was granted yesterday. The number of Mrs. Green's license is 13,854.

At 270 Broadway is the Chemical Bank Building. It was said there yesterday that Mrs. Green did not have sleeping apartments at the bank, but that she did spend a great deal of time there. She is one of the heaviest stockholders of the bank, and it is asserted that sometimes, when applications for loans have been unable to get what they wanted from the bank, they have been referred to Mrs. Green, whose terms were usually somewhat stiffer than those any bank could make.

make.

Mrs. Green talked with vivacity yesterday morning to callers who went to the bank to inquire why she needed a revolver after getting along for so many years with-

out one.

"When I was in Boston the other day," she said, "some things happened which made me feel that something might happen to me. There are a number of men who would like to have me pass away. I have written the names of several of them down and have deposited one copy of the list in each of several banks. So if I am ever taken off there need be no long legal rigamarole to find out who did it. Their names will be right on those lists. They are lawwill be right on those lists. They are law-yers, all of 'em."

Mrs. Green said that the fact that she

Mrs. Green said that the fact that she carried large amounts of money and of securities around with her was good enough reason for her to have a means of

self protection.
"Though, really," she said, "it isn't so much that I fear that I shall be robbed while I am carrying things about the city. It is true, though, that I do carry sometimes as much as half a million dollars in dividends from the trust companies to deposit in the banks. But I want to be able to put a revolver

"But I want to be able to put a revolver on the table right beside me—like that—when I am talking to some of these lawyers. Then the fact that I am a woman and not strong enough to knock them down will not leave them free to act high-handed and go through things like a bull in a china shop.

"My father's death was hastened by lawyers. He had two or three attacks made on him by lawyers and they affected his health, and then, anyway, I always have believed that my father was murdered. I was the first to reach the room after he died, and there was a strong odor of chloroform there, and blood was pouring from his mouth."

form there, and blood was pouring from his mouth."

Mrs. Green instigated several inquisitions into her father's death. None of them proved her contention that he was murdered. She has also accused persons in the law office of Evarts, Choate, Tracy & Beaman of having inflicted serious injuries upon her daughter, Sylvia Green, by throwing her against a safe in their office.

office.

"It is that sort of thing," she said, "which makes me, as I run over my history, feel the need of some way of protecting myself from people who want to see me killed. I have been warned several times lately not to persist in some suits I have instituted.

"I know what that sort of warning means. "I know what that sort of warning means. Some people they can scare out of things. They cannot scare me that way. Those they can't scare they would like to get rid of, somehow. Why, in one case that I had lately, one of the lawyers against me said right out plain that his side didn't care whether or not there was murder in a so long as they got their money. Then a high official in Massachusetts has been making some threats lately that have put me on my guard. They cannot scare me that way. Thos me on my guard.

Of course, I don't want to kill anybody. "Of course, I don't want to kill anybody. I am a Quakeress. It is not in my nature to be quarrelsome." [This declaration has preceded most of the most strenuous episodes in the life of Mrs. Green.] "And if I am attacked I rather think I shall not fire at my assailant first. The first shot will be fired in the air. But after that I shall shoot to kill. I have often fired in the air at burglars at my home in Bellows Falls, Vt. I shoot out of a second-story window at them. I think I could hit a man at twenty yards all right. But nobody ever has scared me, or ever will, and now I think I can do some scaring on my own

Mr. Lane's story, but the jury gave him a verdict forcing Mrs. Green to pay part, at any rate, of his bill.

She has had more lawyers than any other one woman known in public life. It was once said of her that she never came to the county court house with a new costume but that the face of a new lawyer appeared every time one of her cases was called. Mrs. Green said yesterday that her feeling against lawyers was due in large

called. Mrs. Green said yesterday that her feeling against lawyers was due in large part to her conviction that their existence was contrary to public policy.

"I tell you," she asserted earnestly, "there is no show to-day for those who earn their living in the sweat of their brows. These lawyers who never did a stroke of hard work in their lives have arranged things so that they can gobble up every-

of hard work in their lives have arranged things so that they can gobble up everything in sight. I have been robbed all my life long. Now I am going to see if I cannot protect myself."

Mrs. Green would not say just who were the men on whom she expected to have to use her revolver. But within a few months she confided to a caller that she did hope she would never meet Ambassador Choate in the dark when she was alone. Her spirited estimates of Mr. Choate's ablity and moral character have been the joy of that gentleman's friends been the joy of that gentleman's friends for many years.

HELPING THE EAST SIDE ALONG. What the University Settlement Society Is Doing to That End.

The fifteenth annual report of the University Settlement Society has just been made public. In a book which gives interesting details of downtown New York life, James B. Reynolds, the former head worker, now the Mayor's Secretary, and his assistants tell of the growth of this movement, centred at Eldridge and Rivington streets and now having a rapidly growing branch at 38 King street.

Mr. Reynolds's individual report summarizes the entire achievements of the settlement work with its summer home for boys at Lake Hopatcong, its girls' camp near Southport, its new music school and the Provident Loan Society and the Legal Aid Society, which are associated with it. The report tells of the progress of this East Side work and hints at the future developside work and hints at the future develop-ments which are expected at the close. Mr. Reynolds announces his regret at his withdrawal from the work of the society.

An entirely new phase of the sectlement work is presented by Frederick A. King, who represents the society in the police courts. Mr. King is at present Magistrate Pool's probation officer, the other Magistrates, all except Magistrate Mayo, having appointed policemen as their probation. appointed policemen as their probation officers. Through Mr. King prisoners can make restitution for damages that they may have caused, and meanwhile hold their places and their wage-earning capacity. He states that the most serious defect in the existing probation law is its failure to proprovide for offenders under 16. These youthful culprits are put on probation in the Special Sessions, but no such help can be extended to them in the police courts.

The entire work of the University Settle-The entire work of the University Settlement is told in careful detail in the reports of the assistant worker. The special articles contributed tell of the every-day life of the swarms of foreign birth housed downtown, east and west of Broadway and south of Eighth street, and of their pleasures. of Eighth street, and of their pleasures as well as the perils which beset them.

AFTER MORRIS PARK AGAIN. Lawyer Files Charges of Raines Law Violation-Says Policemen Bet.

Charles S. Hayes, a lawyer of 13 Park row, to-day called to the attention of District Attorney Jerome alleged violations of the Excise law at the Morris Park racetrack and added to his charges allegations that policemen in uniform were in the habit of making bets at the track.

Mr. Hayes said that he had turned over o Mr. Jerome affidavits from John M. Boland, a private detective, and Elmer E. Austin. The affidavits, Haves says, were submitted also to Commissioner Partridge who assigned the case to Senior Inspector Cortright who in turn sent Inspector Grant

to the track to report.

Boland's affidavit describes the conditions at Morris Park as follows: "Underneath the grand stand there is a betting ring, two bars, and a dining-room. There was but one liquor tax license exhibited in these bars, and wines and liquors were served to the people therein and to people in the restaurant or dining room as well as the betting ring.

well as the betting ring.

Hayes says that it is a violation of the Raines law to sell liquor where betting is going on. He denied that he was acting for the poolroom keepers, but says he represents "persons who are interested in stopping bookmaking and gambling on the horse races at the tracks."

It was positively asserted, however, that Hayes's action was instigated by certain poolroom proprietors.

poolroom proprietors.

Police Commissioner Partridge also received yesterday from Lawyer Benjamin Steinhardt, counselfor some of the poolroom men, the latter's annual protest against alleged violations of the gambling law at the Morris Park track. The document was referred to Inspector Grant. poolroom proprietors.

ROBBED MONEY LETTERS. Letter Carrier Goes to Jail, Leaving His Family Penniless.

Letter carrier David Roberts of Post Office Station O, 122 Fifth avenue, was caught robbing money letters yesterday and sent to Ludlow street jail. He said that he had been injured in a street car accident and that his hospital and doctor's bills had been large; he had run into debt and was tempted to steal from the mails to supply the necessaries of life to his family.

The prisoner's wife, with a child in arms. pleaded with the United States Commissioner for her husband's release. She was poorly clad and looked half starved. She said that she was penniless and that there wasn't even enough food in their flat to supply the evening meal. A subscription was started by one of the Assistant District Attorneys to buy her food. She lives at 617 East Twelfth street. pleaded with the United States Commis

MRS. LARNER NOT CURED. Youthful Husband Can't Get Her Away

shall shoot to kill. I have often fired in the air at burglars at my home in Bellows Falls, Vt. I shoot out of a second-story window at them. I think I could hit a man at twenty yards all right. But nobody ever has scared me, or ever will, and now I think I can do some scaring on my own account."

Mrs. Green has done scaring on her own account before. Smith E. Lane, recently an East River Bridge Commissioner, once stated under oath in this city that when he called upon Mrs. Green it to collect a law bill, shook her finger under his nose and by force and duress made him accept an inadequate amount. Mrs. Green denied shoot to kill. I have often fired in the attended with inconveniences, as a letter attended with inconveniences, as a letter which he has sent to Water Commissioner Dougherty discloses. This is part of it:

My Dear Mr. Commissioner. I have just moved into No. 52 Remsen street, which is in the brow of the Heights, and was especially happy in having two beautiful bathrooms, with their accourtements; but instead of water in my bathtub I find centipodes, moss and a fifthy fluid which makes bathing an impossibility, and when I inquire as to the reason I am told by my predecessor in title that this frequently happens when the mouth of the main is clogged.

Now, as I always believe in going to head-quarters, I appeal to you to relieve us from the present unwholesome and disgusting condition of things.

FRANCHISE TAX LAW VALID.

DECLARED CONSTITUTIONAL BY JUDGE ROBERT EARL.

All the Contentions of Counsel for the Corporations Overruled Except One Principle of Home Rule in the State Constitution Not Violated by the Act.

ALBANY, May 8 .- The Special Franchise Tax law, passed by the Legislature of 1899 through the influence of Gov. Roosevelt, has been declared constitutional and workable by Robert Earl, a former Chief Judge of the Court of Appeals. Mr. Earl is a Democrat. His connection with the case was as referee, he having been appointed by Supreme Court Justice D. Cady Herrick about a year ago as a result of an attack upon the law by the big street railroad and gas and electric light corporations of New York city. Judge Earl was appointed referee to take the evidence in thirty-eight applications for writs of certiorari to review the action of the State Tax Commission in valuing the special franchises of the New York city corporations, upon the special ground that the law was unconstitutional; that it was unworkable and could not be enforced; that it violated the Constitution in directing the State and closing only a shade lower than the instead of the local assessors to value the night before. instead of the local assessors to value the special franchises, and that the method pursued by the State Tax Commission assessing these franchises was illegal. Judge Earl in his decision upholds the

constitutionality and workability of the law and declares against every contention raised by the attorneys for the corporations, except one. The State Tax Commission, in valuing special franchises as real estate, assessed them at their full value. In no county in the State is real estate assessed at full value. In Albany county it is assessed at 78 per cent. of full value, in New York county at 67 per cent., county it is assessed at 78 per cent. of full value, in New York county at 67 per cent., in Kings county at 68 per cent., in Richmond at 66 per cent., and in Westchester at 90 per cent. In his opinion Judge Earl says that in his findings, which will be announced later, he will scale the valuations fixed by the State Tax Commission of special franchises, so that they will bear the same relation to full value as is now practiced in the different counties by the local assessors in assessing real estate. For instance the Metropolitan Street Railroad was assessed at full value, the amount being \$70,100,940. Unider Judge Earl's decision the total valuation will be on a 67 per cent. basis, or \$46,967,930. And so will the other valuations of special franchises in New York city and throughout the State be cut down in accordance with the local ratio of assessing real estate toward full value. But this really is no victory for the corporation attorneys, because the State's attorneys for the past two years, have conceded that special franchises should not be assessed at full value but at the proceedings of local value adopted in the

not be assessed at full value, but at the percentage of local value adopted in the different counties in assessing real estate. Upon such a basis the Attorney-Generals' department has, during the past year, reached an agreement whereby the corporations in Buffalo, Rochester and Albany and the telephone and telegraph Companies in New York city have paid their taxes under the Special Franchise Tax law.

The corporations intend to carry the question of the constitutionality of this law through the State courts and possibly to the United States Supreme Court, if the Court of Appeals decides against them. In that case it will be several years before this litigation will be finished.

Over \$12,000,000, or three years' taxes, which go to the localities under the Special which go to the localities under the spread of the spread as the big corporations have resisted the payment of the annual tax imposed under this law during the three years it has been upon the statute books. It has been es-timated that the law would raise about \$4,000,000 annually.

Judge Earl's conclusions are that "there

is not, by this Franchise Tax act, such a clear violation of the home-rule provisions of the State Constitution as authorizes any court to pronounce it invalid on that account;" that it does not violate the Federal Constitution by impairing the obligation of contracts; that the act is practicable and workable; and that there is nothing in the general objections to the assess-ments made under it to show their illegality

PLEASES CITY OFFICIALS.

Judge Earl's Decision Keeps the Debt Limit Down-Lawyers Think It Will Stand.

Judge Earl's decision sustaining the Franchise Tax law caused much satisfaction among representatives of the city government yesterday. Those who represent the large corporations affected were by many degrees less joyful over the result. Judge Earl's finding goes to Judge Herrick of the Circuit Court and of course is liable to be set aside. Those who know Judge Earl best, however, do not look for this result. He is recognized as one of the soundest jurists in the State and to this case, it being one of such exceptional importance, he has given very careful attention, having had it under consideration since January last,

Lawyers are of opinion that his findings will stand. Corporation Counsel Rives said the decision was what he personally had believed from the first.

"Of course it is not final," added Mr. Rives, "but Judge Earl is a learned lawyer and has had long experience as a Judge. His opinion carries with it much weight. Comptroller Grout was particularly pleased with the news. He said:

pleased with the news. He said:

There is a peculiar thing about the history of that law with which everybody may not be familiar. When it became certain that it was going to pass, representatives of some of the larger corporations affected went to Albany and begged Gov. Roosevelt to use his influence to have the law amended in one respect at least. "If you must tax our franchises," they said, "for heaven's sake make a provision that will put the assessing into the hands of a State Board and save us from the clutches of corrupt and rapacious local assessors."

At the solicitation of these representatives of the corporations this change was made.

From Her Committee.

That she had not bested the drink habit was in effect the verdict of the jury before Justice Gildersleeve yesterday in the Supreme Court in the effort of Mrs. Alma Louise Larner to have the committees of her person and \$200,000 estate discharged, on allegations that she was cured. The questions put to the jury and their answers were as follows:

Q. Is Alma Louise Larner cured of her overindulgence in intoxicating liquors? A. No.
Q. Is it probable that if released from restraint the said Alma Louise Larner would relapse into her former condition of overindulgence in intoxicating liquors? A. Yes.

Her young husband, Albert E. Larner, joined in the application for her release. Her children by her first husband, Clifford Coddington, opposed it. Her daughter, Louise Coddington, is suing to set aside the marriage of her mother to Larner.

IN JUSTICE WARDS BATHTUB.

Centipedes, Moss and Filthy Fluid, He Says. in Appeal to Water Commissioner.

The removal of former Supreme Court Justice Ward, of Brooklyn, to his new home at 52 Remsen street on May 1, has been attended with inconveniences, as a letter which he has sent to Water Commissioner Dougherty discloses. This is part of it:

My Dear Mis. Commissioners. I have in doubt for which the opponents of the law are

As illustrative of the vast amount involved for which the opponents of the law are contending, it may be mentioned that the total franchise assessments for 1901 in Manhattan alone were \$166.763.669, on which the taxes were \$3.729.843. For 1900 the Manhattan franchise assessments were \$160.954.387 and the taxes were \$3.729.843. For 1900 the Manhattan franchise assessments were \$160.954.387 and the taxes were \$3.729.843. To 1900 the Manhattan of \$7.478.206. In October next—the Franchise law having become operative on Oct. 1, 1899—till another year's arrearage will be piled on.

Just what this addition will be cannot,

of course, be known thus early. That it will be in excess of the figure for 1901, however, is not to be doubted. It is safe to say that roughly speaking the total arrearage of franchise taxation from the borough of Manhattan alone, when this year's installment is added, will be not far from \$21,200,000, or educating the over-

year's instalment is added, will be not lar from \$12,000,000, or, deducting the one-third provided for under Judge Earl's decision, in round numbers, about \$8,000,000. It is estimated that if the past is to be taken as a precedent it will take at least five years more before the case is finally dis-posed of. In that case, should the law be sustained, the amount of money the

be sustained, the amount of money the city will be entitled to will hardly fall short of \$20,000,000 from Manhattan alone.

President Vreeland of the Metropolitan Street Railroad said that the objection to the law on the part of his company was not so much on account of the actual as the possible injustice that it would involve. the possible injustice that it would involve

We do not object to increased taxa on, but we especially object to a law We do not object to increased taxation, but we especially object to a law, the terms of which are indefinite, enabling valuations to be guessed at and opening the door to imagination and prejudice. That part of the referee's report which deals with the method by which the law is to be administered gives us a substantial victory in that it reduces the amount of tax, as levied, by one-third. But even under this reduction the injustice remains and we shall exhaust all the resources of the law before we submit to what we believe to be wrong in principle. On the Stock Exchange the news of Judge On the Stock Exchange the news of Judge Earl's decision affected only to a small extent the local traction stocks. ropolitan Street Railway suffered most

SELJE DIES IN WOMAN'S ROOM. His Runaway Wife of 14 Years Ago Learns

Then of His Faithlessness. Henry S. Selje, 33 years old, a builder of 621 East 162d street, died suddenly early yesterday of heart disease in a furnished room at 121 West 123d street, where he had been living with a woman, known as Gussie Mevers, but who was supposed among the other tenants to be his wife. When he died the woman disappeared and the police are looking for her.

Selie has a wife and two children living in The Bronx. His father, Frederick A. Selje, who lives at 574 East 149th street, is one of the wealthiest contractors in that section

While attending The Bronx High School while attending the bronk high school selje, when 19 years old, met his wife, who was then 17. They were married quietly against their parents' wishes but said nothing about it until nearly a year later. Selje's parents then took the couple ome. Recently the young man had been drink-

ing heavily.

It was said he met the Meyers woman, who is a cloak model, a year ago at a summer resort A month ago he went to the boarding house in Harlem with her and rented a furnished room—for himself and wife, he said.

rented a furnished room—for himself and wife, he said.

The Meyers woman awakened Mrs. Noar, the landlady, at 1 o'clock yesterday morning and told her to send for a physician, because her husband was very ill. Dr. J. T. Bird of 236 West 123d street was summoned, but the man died a few minautes after his arrival.

The Meyers woman said she would go

The Meyers woman said she would go after some of her friends, and left the house. Mrs. Selje was sent for and identified the holds.

CRUSHED BY THREE-TON ROCK. Scalzo Was Seeking Work on the New

Bridge When Death Came. Antonio Scalzo, 30 years old, of 108 Mulberry street was killed yesterday afternoon at the foot of Delancey street, East River, by a piece of stone weighing about three tons falling on him. Scalzo was looking for work on the new East River Bridge and boarded the schooner Annie Kimball which had a cargo of cut stone for the new bridge. had a cargo of cut stone for the new bridge.

As one of the stones was being boisted from the schooner the gearing gave way, and the stone crashed down upon Scalzo, this body was crushed between two other stones on the deck of the schooner, and jacks had to be used to lift the stones away. Scalzo was still breathing when got out, but died in the ambulance on the way to

GLAD TO LET POLICE RIDE FREE. President Vreeland of Metropolitan Re-

President Vreeland of the Metropolitan Street Railway Company said yesterday that he regretted the decision of the Appellate Division to the effect that firemen and policemen are not entitled to ride free on street cars. Mr. Vreeland said that a number of detectives in plain clothes have caught many crooks riding on the cars, and that the company was glad to give the detectives passes to insure the protection. He said also that the com-pany was glad to have firemen on the cars to be of use in case of accident.

SMOTHERED IN HOT SUGAR. mebody Let in Several Tons on Top of Man Who Was Cleaning a Bin.

Frank Levandowsky, a Pole, 40 years old, who was employed in the Havemeyer sugar refinery in Williamsburg, was cleaning out an empty sugar bin early yesterday morning when somebody opened a trap in the chute and let several tons of hot granulated sugar from a kiln in on the bin. When the in filled the trap shut. Levandowsky was missed and the bin was searched. He was dug out insensible and died before the arrival of an ambulance

Paterson Silk Dyers Organize.

TRENTON, May 8 .- The Silk Dyers Association of America was incorporated here today, the objects specified being to promote their prosperity "by the increase of information, by the interchange of ideas, by har-monious action and all other lawful means." monous action and an other lawful means.
The trustees elected for the first year include these silk dyers from Paterson: Jacob Weidmann, Charles Lauger, Emil Geering, Frank Maas, William H. Kearns, Edward Riley, George S. Coombs, James H. Balton, Joseph Formanns and Robert Gaede.

The "Tomb's Angel" Memorial.

Capt. F. Norton Goddard has received \$1,523.63 toward placing a memorial to Mrs. Salome Rebecca Foster in the Criminal Courts Building. Yesterday's subscriptions were:

scriptions were:

John P. Faure, \$20; Frederick Beale, \$3;
Henry K. Morgan, Jr., \$19; Mrs. Morris K.
Jesup, \$10; Alden Freeman, \$5; Mrs. E. N.
Tailer, \$10; W. A. Tibbals (Hartford), \$5;
Bloomingdale Bros., \$25; J. Harsen Halsted,
\$5; Mrs. G. S. Bowdoin, \$25; Jacob A. Cantor,
\$10; W. M. K. Olcott, \$15; H. G. Atwater, \$10;
A. G. Agnew, \$25; Mr. and Mrs. W. A. Duer,
\$25; Mrs. John Wells (New Brunswick, N. J.),
\$20; Miss Phobe Anna Thorne, \$25; Miss M.
Potter, \$5; Miss B. Potter, \$5; E. Morrison, \$25.

Confesses Stealing Holland Boat Plans. Joseph F. Peters, of 232 West Fortythird street, who was charged with stealing valuable plans of the Holland sub-marine boat, was arraigned in Jefferson marine boat, was arraigned in Jenerson Market police court yesterday. Peters pleaded guilty, and was held in \$500 bail by Magistrate Crane for trial. John Graham, a real estate dealer at 49 Broadway, who was charged with trying to help dispose of the plans, was discharged.

Corey of the Haymarket Buys a House.

AS TO SEIZURE OF TRUST BEEF

IT CAN'T BE MADE IN INJUNC. TION SUIT-CASE FOR A JURY.

It Must Be Shown That the Trust Is Operating Uniawfully and the Meat Is Selzable Only in Transit Between States Under the Unlawful Trust Contract.

"If the Government intends to seize and confiscate property of the Beef Trust in transit between States it will have to begin an action separate from the bill in equity, which is to be filed on Saturday. said the counsel for a trust and several corporations yesterday. The lawyer, who was talking to a reporter for THE SUN, has defended so-called trusts that have been sued under the Sherman Anti-Trust law of 1890.

"In 1898," said he, "the United States Circuit Court in Tennessee decreed that in a suit in equity brought by the United States to enjoin the carrying out of a contract or combination in restraint of interstate commerce under the act of 1890 there can be no seizure of goods in course of transportation pursuant to the unlawful contract. Such seizure can be made only under the sixth section of the act, which authorizes seizures and condemnations by proceedings similar to those provided in cases of property imported into the United States contrary to law.

"A trial by jury is involved, as in the case of goods seized when unlawfully brought into this country. It is quite likely that for the present the Governmen will be satisfied to proceed with its bill in equity, seek to show an unlawful combination, to enjoin it and dissolve the com bination and subject the offenders to the fine or imprisonment consequent if the Government upholds its case

"If the Government establishes its case the conspirators will be guilty of misde-meanor and subject to a fine of not more than \$5,000 or not more than one year's

imprisonment, or both.
"The Attorney-General's bill will be a petition, setting forth the evidence in his possession tending to show a combi-nation in restraint of trade and commerce, and praying that such violation be en-joined or otherwise prohibited. A tem-porary restraining order may be issued at once. Only three years ago the United States Court held that under section 4 of the Anti-Trust law a restraining order may be issued without notice, under the circumstances sanctioned by the estab-lished usages of equity practice in other

"Great latitude will be given to the District Attorney representing the Attorney-General in the character of the evidence that he may offer to show an unlawful combination. The United States Court in Kansas in 1897 said:

In hansas in 1897 said:

In, a suit to restrain alleged violations of the law against trusts and monopolies affecting interstate commerce, the existence of an illegal combination among the defendants is to be determined not alone from what appears on the face of the preamble, rules and by-laws of their association, but from the entire situation and the practical working and the results of their methods of doing business as disclosed by the evidence.

"L'idear this suling the District Attention "Under this ruling the District Attorney ought to be able to introduce every sort of evidence that he has. The opening

is wider that he has. The opening is wider than usual in courts of law.

"Another decision under the Sherman law, rendered in California, upheld the position that it is immaterial whether the restraint is a fair and reasonable one or whether it has actually resulted in increasing the price of the commodity dealt in. The Beef Trust attorneys naturally would take the position that any combination which might be shown by the District Attorney to have existed was a reasonable one. It will not be necessary for the Government to prove that the trust advanced prices. If the Attorney-General can prove half what has been said of the methods of the trust in the newspapers he will have no difficulty in getting an order of injunction. No doubt his petition will cite charges on which he can secure a temporary restraining order. or whether it has actually resulted in in-

a temporary restraining order.
"Seizures of shipments are quite another matter. They must be made while in transit between States under a contract or combination of the trust when it has been shown that the trust is operating unlawfully. Dressed beef is perishable property, and the Government might have costly damages to pay if it seized beef and later failed to prove its case be-

beef and later failed to prove its case before a jury.

"A real victory for the Attorney-General
would be an injunction against the alleged combination which would have the
effect of dissolving it. I fancy most of
the Beef Trust magnates could pay a fine
of \$5,000 without being distressed.

"This suit could be brought by no one
but the Government. An individual's only
recourse at law is in an action for damages.
If he can prove that he has suffered damages through the operations of a trust
he may recover three times the amount
with costs."

AGAINST THE BEEF TRUST.

The Government's Bill in Equity to Be

Filed To-morrow Afternoon WASHINGTON, May 8 .- It was said at the Department of Justice this morning that the Government's bill in equity against the alleged meat packers' combination would be filed late on Saturday afternoon. District Attorney S. H. Bethea will file the document, which has been finally revised under the supervision of Attorney-General Knox.

Mr. Knox declines to give any intimation as to the contents of the bill, except that it has for its aim, of course, the dissolution of the Beef Trust. It is officially admitted that the Government may also pray for a preliminary injunction to restrain immediately the operations of the meat packers as a combination, but whether this step has been actually determined upon or not the Attorney-General will not say.

Information is also withheld as to whether Information is also withheld as to whether

the Government intends to enforce the "confiscation clause" of the Sherman Anti-Trust law. In case this action is taken, all the meat in transit, upon contracts recently made by and between the meat pack-ers, will be seized by the Government officers.

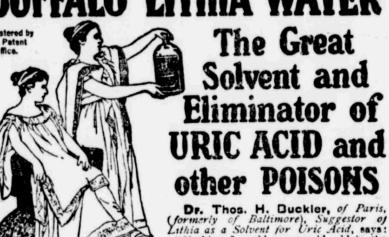
SWAMPED BY DAMAGE CLAIMS. Builder of House That Collapsed and

Killed 15 Persons Goes Bankrupt. After the buildings at West Broadway and Third street collapsed in August, 1895, killing fifteen persons, judgments for \$30,000 for damages were secured by two injured for damages were secured by two injured persons against John H. Parker, mason-builder, and claims for \$570,000 more damages are pending. Partly to get rid of these liabilities he filed a petition in bank-ruptcy yesterday. The liabilities are \$107,689, of which \$73,155 are secured by mortage. There are counter claims between Parker and John B. Ireland, owner of the property.

Saw Her Baby Falling and Dropped Dead. PATERSON, N. J., May 8.-Mrs. Edmund Whittaker of East Eighteenth street put her six-months-old baby to bed last night and went into an adjoining room with her husband. She looked up and saw her baby which had wriggled from under the clothes, falling off the bed. She started up with a scream and ran toward the child. Her husband reached the little one in time to catch it. As he did so, he turned toward his wife. She had dropped on the floor and was dead.

Can't Remove Bert Reiss From Cordage Co. Supreme Court Justice Gaynor in Brooklyn handed down a decision yesterday denying the motion for the removal of Bert Reiss as receiver of the John Good Cordage Company. Justice Gaynor directs that the business be gradually wound up.

BUFFALO LITHIA WATER



"Nothing I could say would add to the well-known reputation of the BUFFALO LITHIA WATER.

I have frequently used it with good results in Uric Acid Diathesis, Rheumatism and Gout. Lithia is in no form so valuable as where it exists in the carbon- BUFFALO LITHIA WATER."

George Ben. Johnston, M.D., LL.D., Richmond, Va., Ex-President George Ben. Johnston, M.D., LL.D., Richmond, Va., Ex-President Southern Surgical and Gynecological Association, Ex-President Virginia Medical Society, and Professor of Gynecology and Abdominal Surgery, Medical College of Virginia: "If I were asked what mineral water has the widest range of usefulness, I would unhesitatingly answer, BUFFALO LITHIA. In Uric Acid Diathesis, Gout, Rheumatism, Lithæmia, and the like, its beneficial effects are prompt and lasting. * * * Almost any case of Pyelitis and Cystitis will be alleviated by it, and many cured. I have had evidence of the undoubted Disintegrating, Solvent and Eliminating powers of this water in Renal Calculus, and have known its long continued use to permanently break up the gravel-forming habit."

Dr. William H. Drummond, Professor of Medical Jurisprudence, Bishop's University, Montreal, Canada: "In the Acute and Chronic Nephritis (BRIGHT'S DISEASE), of Gouty and Rheumatic Origin, as well as in the graver Albuminuria of Preganancy. I have found BUFFALO LITHIA WATER to act as a veritanancy. I have found

BUFFALO LITHIA WATER is for sale by Grocers and Druggists generally.

Testimonials which defy all imputation or question sent to any address. Hotel at Springs opens June 15th.

PROPRIETOR BUFFALO LITHIA SPRINGS, VIRCINIA

PLEASED WITH JUDGE AND ALL. Jane Swinburne Profusely Polite Before

She's Led Away for Examination. Jane Swinburne, a woman of middle age whose hair was slightly tinged with gray, was removed forcibly yesterday from the offices of Dr. W. A. Dayton, 117 West Seventy-ninth street, by whom she had been employed as a housekeeper, by Policeman Kelly of the West Sixty-eighth street station, charged with disorderly conduct. In the West Side police court Dr. Dayton said the woman had acted queerly and had refused to leave when he discharged her. The physician said he

thought she was wrong mentally. "What was your position in the doctor's employ, Jane?" asked Magistrate Hogan. "Well, I was private secretary, I guess. I wasn't really employed to do anything. They were just going to try me out."

The Magistrate made out papers committing the woman to Bellevue for examination as to her sanity. She thanked the Magistrate and then said:

"And may I ask your name, doctor?"

the Magistrate and then said:

"And may I ask your name, doctor?"

"Hogan," responded the Magistrate.

"And yours, doctor?" bowing in the direction of the court stenographer.

"Ormsby," replied that official.

"Thank you, thank you," remarked the woman. "I merely asked because I wanted you to know that I am very much pleased with both—very much, indeed."

She was then led away.

Yale Student Fined for Auto Speeding. A young man who said he was James L. Warner of 102 East Seventieth street, a Yale student, was fined \$15 by Magistrate Mott in the Harlem police court vesterday

Mott in the Harlem police court yesterday for running his automobile faster than allowed by law.

Warner said he was on his way to New Haven on an important engagement and that he must be there at midnight. He and a friend who was wi'h him could only scrape up \$10 in cash, so he gave a check for \$5 to the clerk of the court. The check was signed James L. Waters.

The Girl Graduate

is getting ready for the Commencement Season. She will look as pretty as ever. The question of what to wear upon the important occasion is fully discussed in an article in THE EVENING SUN to-day. The girls have a good many new ideas this Spring. "Dress Clubs" in the classes, and their operation. Hats, parasols, sashes, fans and bouquets. How some of the prettiest costumes are made, with pictures that show what they look like.

THE KNICKERBOCKER GIRL tells about some new ideas in Spring and Summer fashions, with illustrations. In TOP-ICS OF THE HOUSEHOLD are found many original and practical recipes, and general information for the housewife. NEW THINGS IN THE SHOPS, a score of novelties. THE HOUSEHOLD MAR-KETS, daily prices of all table stuffs. William Le Queux's serial, "The Under-Secretary." A complete short story. Much other miscellaneous matter of interest, in addition to

All the Important | A newspaper

News of the World to take to the home.

THE EVENING SUN Held Up and Stabbed on the Bowery.

Washington Drane, an actor of 77 East Tenth street, was held up by an Italian on the Bowery early yesterday morning and stabbed in the breast when he refused to give up his money. The robber was scared off by an approaching policeman. Drane was not badly hurt.

KING LEOPOLD

OF BELGIUM

Confers Honor on Johann Hoff.



*Ring Leopoid of Beigium ep-pointed Johann Hoff as an Hon-and muscle has this preparation achieved fame; the women it has rescued from College at Brussels, in consider- the agonies of female weaknesses are ation of the highly nutritious and beneficial action of the Genuine Johann Hoff's Extract."

legion, and their physicians have willingly testified to its remarkable cures.

It is the nutrient qualities of food, extracted through the digestive process. that build strength and sustain life, by charging the blood with red corpuscles. Blood is life.
The thin, hollow-chested person who

loses the nutrient qualities of food is in | Treatest service to my daughter. danger of pulmonary disease-consumption, most likely.

The nervously inclined, the sort who worry and fuss over things big or little, with women and with men who need toning up when they are prostrated and are face to face with prostration.

The care-worn woman with over- cannot eat or sleep well. taxed organs peculiar to her sex may, with reason, grow more anxious, for female weaknesses are vital weaknesses can be spared.

And these dangers are wholly due to the loss of life-giving elements through improper food assimilation.

The proper treatment of the

The proper treatment for impaired digestion and every disease akin to it, is a wineglassful with each meal of JOHANN HOFF'S EXTRACT, which JOHANN HOFF'S EXTRACT, which a strength and health builder.

stomach; more than to compel perfect food assimilation, and JOHANN HOFF'S even goes farther than a mere nerve or dyspepsia medicine; it is in itself a nutrient. Weak, run-down men and women.

Dr. A. H. BICKERS of Philadelphia writes:
"I have used JOHANN HOFF'S

DR. EDWARD C. MANN of Worcester,

Mass. writes:
"I write to tell you that JOHANN
HOFF'S EXTRACT has been of the

I am prescribing this excellent prep-

DR. L. J. SCHOFIELD of Warrensburg,

has for fifty years stood at the head as HOFF'S EXTRACT in my practice a strength and health builder. It does more than act as a tonic to the give renewed and immediate strength, while increasing appetite and diges

or you will be imposed upon. There is no other 's ist as good."

BE SURE to get JOHANN HOFF'S

nursing mothers and all who need build-ing up, ought to take JOHANN HOFF'S EXTRACT daily until fully EISNFA & MENDELSON CO., Sole Agents, New York.